

**MINUTES OF THE COMMON COUNCIL  
WORK SESSION  
March 18, 2014  
Exhibit Hall – Rouss City Hall**

**PRESENT:** President John Willingham; Councilor Jeff Buettner, Evan Clark, John Hill, and John Tagnesi; Vice-President Milt McInturff; Mayor Elizabeth Minor; Vice-Mayor Les Veach (8)  
**ABSENT:** Councilor Ben Weber (1)

President Willingham called the meeting to order at 6:00 p.m.

**2.0 Comments:** (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

*President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public comments at 6:00 p.m.*

**3.0 Items for Discussion:**

**3.1 R-2014-08:** Resolution – Approval to payout accumulated sick leave for employee of the Clerk of the Court

Terry Whittle, Clerk of the Court, presented the request to have an employee's accumulated sick leave paid. Mr. Whittle stated the employee has been with his office since 2004. She has accumulated 800 hours of leave and would be entitled to a payout of \$3,682.64.

Councilor Clark moved to forward R-2014-08 to Council. *The motion was seconded by Vice-Mayor Veach.*

Vice-President McInturff stated the Clerk of the Court's office does not have a MOU with the City and asked why not. Mr. Whittle stated there are several reasons but basically he did not want to sign something that required his staff to follow the City's policy when he could not do it. He did not feel it would be right for his office.

Vice-President McInturff asked if this office would have signed the MOU, would this be coming to Council. City Manager Dale Iman stated if Mr. Whittle had signed it, we would not be here this evening. Employees with 5 years of service are entitled to 25% of accumulated sick leave. The MOU makes sure they are all on the same playing field. Mr. Iman stated the city does not know how the Clerk's office keeps track of sick leave but knowing Mr. Whittle, he is sure it is similar

*The motion to forward was approved 8/o.*

***Councilor Ben Weber arrived at 6:12 p.m.***

### **3.2 Presentation: Proposed FY15 Budget Options**

City Manager Dale Iman presented the first look at the proposed budget, the Capital Improvement Plan, and the outside agency requests for 2015. He stated the revenues are up by 2% overall in the general fund budget equating to an increase of \$1,353,500 over FY2014. With the original requests, there is a \$6,981,804 shortfall. These requests included 23 new positions and a 2% salary increase for all general fund employees (not schools), operating requests of \$3,281,372, ITP requests of \$416,881 over the base, equipment requests of \$1,061,000 over the base, and funding in the amount of \$175,200 for services provided by Social Services that had been cut by the Federal and State governments. There was a huge hit in the regional agency requests with an increase of \$241,199 from the Regional Jail. The total increase is \$8,235,304 including \$1.2 million in requests from the Schools. Option 1 includes the 2% increase in revenue for a total of \$76,780,000. It does not fund any of Council's goals or projects. Option 2 proposes a 1% meals tax increase be adopted by City Council which would generate approximately \$1.2 million dollars. This would enable the City to add 2 new firefighter positions, provide a 2% salary increase or pay scale maintenance, give \$500,000 for Schools, provide \$3,600 in additional operating expenses, increase the equipment replacement by \$227,000, and offer a 2% salary increase at the JDC. The total for option 2 is \$77,980,000. Option 2 does not address all of the needs but does keep the city moving forward.

Finance Director Mary Blowe reviewed the Capital Improvement Projects. In order to stretch out the funding as smooth as possible, she suggested moving \$1.6 million from cash to the bond proceeds to go towards some of the other projects. The funding for the JJC improvements has been lowered from \$3.4 million to \$1 million. Ms. Blowe presented the outside agency requests and stated the proposal is for level funding except for the increases in the regional agencies. She also provided a tax comparison for similar localities for Council's review.

Councilor Tagnesi questioned the \$650,000 for City Hall bricks. Mr. Iman stated it is to repair the brick mortar on the outside of the building. Currently, water seeps in through the bricks and into the walls when it rains.

President Willingham asked to see incremental changes for some of the taxes that have not been touched in a while.

Councilor Buettner asked to get information on a sanitation fee.

Councilor Clark stated he continues to have heartburn over the amount of money funded for the Laurel Center. Council agreed to come back and look at the funding but has not done so.

Vice-Mayor Veach stated he would like to look at weaning off the outside agencies again. He would also like to look at more money for the Schools for the CTE program and for pay increases for the Schools and City employees.

Vice-President McInturff asked if the outside agencies are given an outline or checklist to follow with respect to information given back to the City for justifications. He asked if there was anything for them to report what they have done for themselves to try to earn money. Ms. Blowe stated one section of the form does focus on their fund raising efforts and their revenue sources.

President Willingham asked what the shortage is on hiring fire fighters. He also would like to see the pattern of pay increases since 2009 and what the local funding has been to the Schools over the years.

President Willingham asked Council if there were interested in using option 1 but with more options for funding or option 2 with the meals tax. It was the consensus of Council to use option 1 with more options for funding.

**3.3 R-2014-09:** Resolution – Approval of the Personal Property Tax Relief Rate for Tax Year 2014

Ann Burkholder, Commissioner of the Revenue, presented the Personal Property Tax Relief Rate for tax year 2014. She stated the list of vehicles is stabilizing and suggested a rate of 53% for qualifying vehicles.

Vice-President McInturff moved to forward R-2014-09 to Council. *The motion was seconded by Vice-Mayor Veach then approved 9/0.*

**3.4 R-2014-07:** Resolution – Approval to refund overpaid estimated business license taxes to DEI Inc. in the amount of \$3107.29

Ms. Burkholder presented the request to refund overpaid estimated business license taxes to DEI Inc. in the amount of \$3,107.29.

Vice-Mayor Veach moved to forward R-2014-07 to Council. *The motion was seconded by Councilor Clark then approved 9/0.*

**3.6 Update & R-2014-10:** An appeal of the decision by the Board of Architectural Review (BAR-13-524) requiring the removal of vinyl siding and replacement with wood siding for the property located at 16 West Monmouth Street zoned Residential Business (RB-1) District with Historic Winchester (HW) District overlay.

Director of Zoning and Inspections Aaron Grisdale presented an update on the appeal and a resolution to uphold the Board of Architectural Review's decision but allow the property owner time to come into compliance. He stated the department will begin educating the property owners on home repairs in the historic district.

Councilor Buettner moved to forward R-2014-10 to Council. *The motion was seconded by Vice-President McInturff then approved 9/0.*

**3.7 O-2014-07: AN ORDINANCE TO AMEND AND RE-ADOPT SECTIONS 25-17 AND 18-1 OF THE WINCHESTR CITY CODE TO ELIMINATE FORMALLY APPOINTED COUNCIL LIAISONS FROM THESE AND OTHER COUNCIL APPOINTED BOARDS AND COMMISSIONS**

City Attorney Anthony Williams presented the ordinance to remove the appointed Council liaisons from the boards and commissions.

President Willingham asked if a liaison should be on the Frederick-Winchester Service Authority or any other joint board. Councilor Buettner stated the FWSA is one case that Council really needs to rely on staff or go back to appointing a councilor because of the complexity of the board.

Councilor Buettner moved to forward O-2014-07 to Council. *The motion was seconded by Vice-Mayor Veach then approved 8/1 with Councilor Weber voting in the negative.*

**3.8 R-2014-06: Resolution – Adoption of the 2014 Strategic Plan Leadership Guide (Sent back to Work Session for more discussion on March 11, 2014)**

Assistant City Manager Doug Hewett offered to provide a summary of the Leadership Guide or answer questions from Council.

Vice-Mayor Veach asked where the Core Beliefs came from. Mr. Hewett stated it is something the consultant added so he would need to follow up with Mr. Sumek.

Vice-Mayor Veach suggested having a summary of the guide in the front and the historical documents behind. He also suggested separating the Governance Guide from the Leadership Guide to be able to amend it after the new City Manager begins.

Councilor Tagnesi moved to forward R-2014-06 to Council with the revisions as discussed by Vice-Mayor Veach. *The motion was seconded by Councilor Clark then approved 9/0.*

#### **4.0 Liaison Reports**

Councilor Tagnesi reported the Planning Commission forwarded the vacation for the Discovery Museum.

Councilor Veach stated the School Board is doing the best they can with the budget.

#### **5.0 Executive Session**

President Willingham stated he would entertain a motion to add discussion of performance of Boards and Commission members and discussion of a real estate/PPEA to the Closed Session for this evening. *The motion was made by Vice-President McInturff, seconded by Vice-Mayor Veach, then approved 9/o.*

- 5.1** MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A) (1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS AND PURSUANT TO §2.2-3711(A)(3) AND (6) FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF THE SUBJECT OF THE ACQUISITION OF AN INTEREST IN REAL PROPERTY AND FOR THE PURPOSE OF DISCUSSION OF THE SUBJECT OF INVESTMENT OF PUBLIC FUNDS WHERE BARGAINING IS INVOLVED, AND WHERE IF MADE PUBLIC, THE BARGAINING POSITION OR FINANCIAL INTEREST OF THE CITY WOULD BE ADVERSELY AFFECTED AND PURSUANT TO §2.2-3711(a) (29) FOR THE PURPOSE OF DISCUSSION OF THE AWARD OF A PUBLIC CONTRACT INVOLVING THE EXPENDITURE OF PUBLIC FUNDS, INCLUDING INTERVIEWS OF BIDDERS OR OFFERORS, AND DISCUSSION OF THE TERMS AND SCOPE OF SUCH CONTRACT, WHERE DISCUSSION IN AN OPEN SESSION WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE CITY AND PURSUANT TO §2.2-3711(A)(40) FOR THE PURPOSE OF DISCUSSION OF RECORDS EXCLUDED FROM CHAPTER 37 OF TITLE 2.2 OF THE CODE OF VIRGINIA PURSUANT TO SUBDIVISION 3 OF §2.2-3705.6 .

Vice-President McInturff moved to convene in executive session at 7:41 p.m. *The motion was seconded by Vice-Mayor Veach then approved 9/o.*

Vice-President McInturff moved to re-convene in open session at 9:07 p.m. *The motion was seconded by Vice-Mayor Veach then approved 9/o.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

*A roll call vote was taken, the ayes and nays being recorded as shown below:*

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Councilor Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Vice-Mayor Veach	Aye
Councilor Weber	Aye
President Willingham	Aye

**3.5 Discussion:** O-2014-06 – AN ORDINANCE TO AMEND CHAPTER 29, “UTILITIES”, OF THE WINCHESTER CITY CODE BY ADDING A NEW ARTICLE ENTITLED “ARTICLE IV – STORMWATER UTILITY

Perry Eisenach, Utilities Director, presented a draft ordinance to implement a store water utility if Council chooses to move forward. He stated there would still be a lot of details to work out such as the rates.

## **6.0 Monthly Reports**

**6.1** Fire Department

**6.2** Police Department

## **7.0 Adjourn**

Vice-Mayor Veach moved to adjourn at 9:15 p.m. *The motion was seconded by Mayor Minor then approved 9/0.*